

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRUNSON COMMUNICATIONS, INC.

Plaintiff,

v.

ARBITRON, INC.

Defendant.

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: Civil Action No.: **02 CV. 3223**

**UNCONTESTED MOTION TO EXTEND DEFENDANT'S TIME TO
RESPOND TO PLAINTIFF'S MOTION FOR RECONSIDERATION**

Pursuant to accordance with F.R.Civ.P. 6(b), and L.R.Civ.P. 7.1(c), Defendant Arbitron, Inc. ("Arbitron"), by its undersigned counsel, hereby moves for an extension of its time to Answer and Oppose Plaintiff's Motion for Reconsideration of the Court's December 31, 2002 Memorandum and Order Dismissing Plaintiff's Amended Complaint, to February 10, 2003.

1. On December 31, 2002, the Court entered its Order dismissing the Amended Complaint, in part with prejudice and in part with leave to replead. On January 15, 2003, Plaintiff filed its Motion For Reconsideration, claiming, in part, to have new evidence. Plaintiff's Motion was served by mail and not received until January 20.

2. Defendant Arbitron's current time within which to respond is February 3, 2003. However, its counsel has determined that they need one additional week's time in order to prepare a proper and cogent response to Plaintiff's latest motion. This is Defendant's first request for such an extension.

3. Moreover, because the Court has granted Plaintiff's separate motion to extend its time within which to replead until after the Court's decision on its Motion For Reconsideration, Plaintiff will not be prejudiced by the extension of time requested herein.

4. Accordingly, counsel for Plaintiff, Robert Sugarman, Esquire, informed undersigned counsel by telephone on January 29, 2003, that Plaintiff does not object to or contest Arbitron's within Motion For Extension of Time to February 10, 2003.

WHEREFORE, Defendant Arbitron requests that its Motion to Extend its Time to Respond to Plaintiff's Motion For Reconsideration be granted, and that its time within which to do so be extended until February 10, 2003.

Date: January 30, 2003

SPECTOR GADON & ROSEN, P.C.

By: _____
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Attorneys for Defendant Arbitron, Inc.

ATTORNEY CERTIFICATION THAT MOTION IS UNCONTESTED

I, David B. Picker, an attorney duly admitted to practice law in the Commonwealth of Pennsylvania and in this Court, hereby Certify under penalty of perjury that, on the afternoon of January 29, 2003, I spoke to Robert Sugarman, counsel of Record for Plaintiff in this action, on the telephone, and asked him if Plaintiff would consent to an adjournment of time of one week, to February 10, 2003, of Defendant's time within which to respond to Plaintiff's Motion For Reconsideration. Mr. Sugarman informed me that I could represent to the Court that Plaintiff had no objection to the requested extension of time.

Dated: January 30, 2003

David B. Picker

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ORDER GRANTING EXTENSION OF TIME

AND NOW, this ____ day of _____, 2003, upon consideration of the Defendant Arbitron, Inc.'s Uncontested Motion for an Order, pursuant to F.R.Civ.P. 6(b) and L.R.Civ.P. 7.1(c), to extend its time to respond to Plaintiff's Motion For Reconsideration, to February 10, 2003, it is hereby

ORDERED and DECREED that said motion is GRANTED, and that Defendant Arbitron shall file its response and opposition to Plaintiff's Motion For Reconsideration on or before February 10, 2003.

BY THE COURT:

MICHAEL M. BAYLSON, U.S.D.J.

CERTIFICATE OF SERVICE

DAVID B. PICKER hereby certifies that a true copy of the foregoing Defendant Arbitron, Inc.'s **Uncontested Motion To Extend Defendant's Time** was served by Messenger Delivery on this **30th** day of **January**, 2003, upon Plaintiff's counsel, as follows:

Robert J. Sugarman, Esq.
Sugarman & Associates
11th Floor, Robert Morris Building
100 North 17th Street
Philadelphia, PA 19103

January 30, 2003

David B. Picker